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Attorneys for Amicus Curiae
SAVE OUR FOREST ASSOCIATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION – RIVERSIDE

BLUETRITON BRANDS, INC.,

Plaintiff,

vs.

UNITED STATES FOREST SERVICE, *et al.*,

Defendants.

Case No.: 2:24-cv-09720-JGB-DTB

DECLARATION OF RACHEL DOUGHTY

Date: January 13, 2025

Time: 9:00 a.m.

Courtroom: 1

Judge: Hon. Jesus G. Bernal

Action Filed: August 6, 2024

I, Rachel Doughty, do declare and state:

1. If sworn as a witness, I could and would testify to my personal knowledge of the facts set forth herein.

2. I have been following the case of BlueTriton Brands, Inc. (“**BTB**”) in California’s Fresno Superior Court, case no. 23CECG04292, and I am familiar with the arguments BTB is making in that case, and have in fact submitted amicus briefing to that court. BTB is seeking through its lawsuit against the State Water Resources Control Board (“**SWRCB**”) a ruling that the

1 SWRCB does not have jurisdiction over the water BTB diverts from the Headwaters Springs in
2 Strawberry Canyon (“**Springs**”)—basically that the water is not surface but groundwater.

3 3. In this case, BTB is not bottling water and has not since 2023, but is delivering
4 water to the present owner of the Arrowhead Hotel. ECF 65-10, ¶ 9.

5 4. On January 8, 2025, I met with legal counsel for the Yuhaaviatam Clan, of the
6 Maara’yam (Serrano), sometimes called the San Manuel Band of Mission Indians
7 (“Yuhaaviatam”), successor in interest through purchase to the contract between BTB and the
8 Arrowhead Hotel. Counsel for the Yuhaaviatam stated that the Yuhaaviatam have never applied to
9 the United States Forest Service for a Special Use Permit (“**SUP**”) to divert water from Strawberry
10 Canyon and that the Yuhaaviatam presently have no such SUP.

11 5. My client and other members of the public continue to send public records requests
12 to the US Forest Service and to obtain documents in response. We have seen no evidence that BTB
13 has submitted any information explaining or supporting a basis for its rights to water in support of
14 the application for the SUP the US Forest Service denied.

15 6. My client and other members of the public have hiked in the area of the Springs,
16 from which it is reported to me that water continues to be diverted.

17
18 I make this declaration under penalty of perjury under the laws of the United States of
19 America, executed this 8th day of January, 2025, in Berkeley, California.

20
21 By: */s/ Rachel Doughty*

22 **RACHEL DOUGHTY**